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*Counsel for Defendant Google LLC*

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION**

CHASOM BROWN, *et.al*, individually and  
on behalf of all similarly situated,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

Case No. 4:20-cv-03664-YGR-SVK

**DECLARATION OF STEPHEN A.  
BROOME IN SUPPORT OF GOOGLE  
LLC'S ADMINISTRATIVE MOTION TO  
CONFIRM JANUARY 22, 2024 TRIAL  
DATE**

The Hon. Yvonne Gonzalez Rogers

Trial Date: November 6, 2023

1 I, Stephen A. Broome, declare as follows:

2 1. I am a partner with the law firm of Quinn Emanuel Urquhart & Sullivan, LLP,  
3 counsel for Defendant Google LLC in this matter. I am an attorney at law duly licensed to practice  
4 before all courts of the State of California and admitted to practice in the Northern District of  
5 California by this Court. I have personal knowledge of the matters set forth herein and am  
6 competent to testify.

7 2. On August 25, 2023, the Court advised the parties that: “Given the current schedules  
8 of my criminal trials, it is highly unlikely that your date of November 6, 2023, will remain.  
9 Nonetheless, we will maintain the pre-trial schedule, including deadlines to file motions, and you  
10 will be advised further about the status of your trial date on October 30, 2023. For now, your back  
11 up trial date is January 22, 2024.” Dkt. 979.

12 3. On August 26, 2023, I asked Plaintiffs' counsel whether Plaintiffs would be willing  
13 to jointly request that the Court confirm January 22, 2024 as the date trial will begin in this action.

14 4. On August 28, 2023, Plaintiffs' counsel informed me that they would agree to jointly  
15 make the request on the condition that Google agree that un-filed claims of individual class members  
16 seeking damages be tolled in the interim.

17 5. On August 30, 2023, I informed Plaintiffs' counsel that the condition was  
18 unacceptable because (1) Google is not aware of any individual class members (other than the named  
19 Plaintiffs) who have indicated an intent to file damages claims, (2) Google is not aware of anything  
20 that currently prevents individual class members from filing damages claims, and (3) the Court ruled  
21 that it lacks constitutional authority to toll claims that are not before it (Dkt. 941).

22 6. On August 31, 2023, Plaintiffs' counsel informed me that they would not jointly seek  
23 the relief requested herein absent a tolling agreement, and that Plaintiffs' would oppose this motion  
24 on that basis.

25 7. Plaintiffs did not identify any other basis on which they would oppose this motion.  
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1 I declare under penalty of perjury of the laws of the United States that the foregoing is true  
2 and correct. Executed in Los Angeles, California on September 5, 2023.

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5 By /s/ Stephen A. Broome  
6 Stephen A. Broome  
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